

HOUSE JOINT RESOLUTION NO. 7

INTRODUCED BY D. MCGEE

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA STRONGLY URGING THE MONTANA DEPARTMENT OF LABOR AND INDUSTRY TO REVIEW STATE LAWS AND ADMINISTRATIVE RULES REGARDING PAYMENT OF EMPLOYEE TRAVEL TIME AND TO MEET AND JOINTLY WORK WITH REPRESENTATIVES OF THE UNITED STATES DEPARTMENT OF LABOR FOR THE PURPOSE OF CLARIFYING AND SIMPLIFYING STATE AND FEDERAL LAWS REGARDING COMPENSABILITY OF EMPLOYEE TRAVEL TIME.

WHEREAS, Montana's employment-related statutes and federal laws regarding compensability of employee travel time constitute a complex and confusing body of law requiring specialized understanding and application of specific fact patterns and knowledge of numerous court interpretations; and

WHEREAS, the complexity and breadth of the overlapping and often contradictory provisions of federal and state law make it difficult for employers to find readily available information regarding the proper application of the laws; and

WHEREAS, the maze of state and federal laws, regulations, and court interpretations regarding compensability of travel time is confusing and cumbersome, often resulting in overpayment or underpayment of wages, which may result in subjecting employers to litigation for honestly but incorrectly interpreting state or federal law.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Montana Department of Labor and Industry is strongly urged to:

(1) review state laws and administrative rules to simplify and clarify laws related to the compensability of employee travel time;

(2) meet jointly with representatives of the United States Department of Labor and other interested employer and employee representatives to discuss streamlining and reducing the complexity of federal and state laws regarding the compensability of employee travel time; and

(3) report to the Business and Labor Interim Committee on its joint meetings and progress to

1 clarify and simplify the myriad of cumbersome and confusing laws and regulations regarding an employer's
2 responsibility to pay employee travel time ~~expenses~~.

3 BE IT FURTHER RESOLVED, that copies of this resolution and a report prepared by the Department
4 of Labor and Industry be sent by the Secretary of State to the Montana Congressional Delegation and to
5 the United States Secretary of Labor.

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